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CRITICISMS OF THE "COVENANT"

AS WE have pointed out heretofore, the Covenant of the League of Nations is separate and separable from the peace treaty, both of which are now before the United States Senate. The Covenant of the League of Nations has already been discussed widely. It is still being discussed. There should be no limitation upon the discussion of this most important instrument, either for the United States Senate or for the people. Issues so vital, relating as they do to the very existence of our Government as it now is, must be clearly stated, thoroughly understood, and competently passed upon. To this end let us examine some of the major criticisms urged against the Covenant.

Because of the method of representation proposed, it is claimed that disproportionate powers in the organization of the League are given to Great Britain. The sections of the Covenant relating to this criticism are found in article 1 and in the Annex to the Covenant. In article 1, it is provided that "the original members of the League of Nations shall be those of the signatories which are named in the Annex to this Covenant and also such of those other states named in the Annex as shall accede without reservation to this Covenant." In the Annex of the Covenant the original members of the League of Nations are thirty-two in number, while thirteen other states are invited to accede to the Covenant. Among the thirty-two original members of the League of Nations six are as follows: British Empire, Canada, Australia, South Africa, New South Wales, and India, which constitute three-sixteenths, or nearly one-fifth of the voting strength of the League. The voting strength of the United States of America, like that of the other nations constituting the original membership, is one thirty-second. If other nations are added under the terms of the Covenant it will not alter the ratio of representation.

It is claimed that article 10 of the Covenant turns the League of Peace into a League of War, and that if it should be carried out it would be contrary to justice, to progress, and to liberty, that it would "put the world in a straight jacket and rivet it down with force." Article 10 of the Covenant reads:

"The members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League. In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which

By the very nature of such a League of Nations, this obligation shall be fulfilled."

under such a provision members, by virtue of their membership, and this includes, of course, the United States of America, pledge themselves in advance to become parties to conflicting international interests, be they where they may or what they may. Under the terms of this article, the United States would be estopped from any aggression or from any threat of aggression against Mexico, Costa Rica, Honduras, Panama, or any other nation. If the article means anything it means that. It means more. It means that any aggressive act, say against Mexico, even though that act be an act of self-defense such as we have frequently felt called upon to commit, even under the rule of the hot-trail, must first be submitted to the Council of the League, which Council "shall advise upon the means by which this obligation shall be fulfilled." This means, if it means anything, that a group of men, one from the British Empire, one from France, one from Italy, one from Japan, and four other members of the League selected by the assembly, one-fifth of whom will be representatives of the British Empire—we, being parties to the dispute, will have no voice in the matter—shall have the power to examine and to decide the part we shall have to play. And we shall be in duty bound to abide by the decision. Mr. Wilson says that nothing in the Covenant interferes with the authority of the United States Congress to declare war. But, it is replied, if we ratify the Treaty as it stands we shall be honorably held to obey the summons of the League and go to war if it says we must. The critics say of article 10, "It is preposterous to call the Covenant a 'league for peace,' when it contains such a mandatory summons to war."

It is claimed that the Covenant of the League of Nations multiplies the pretexts for war. The argument here is that a League of Nations such as is here proposed, made up of human beings, with the limitations that belong to human beings, will inevitably divide into factions, each pursuing its various interests, economic, political or otherwise as the case may be. The League of Nations makes questions as they arise between any two nations of vital interest to all, hence the international situations as they arise will furnish opportunities heretofore undreamed of for the stirring up of strife. Questions arising between Japan and China, for example, will become at once matters of international concern, however trivial the matters involved may be. They in turn will make it easily possible for England and Italy, let us say, to bring pressure to bear upon another nation such as France or the United States. Granted that Jugo-Slavia and Czecho-Slovakia are at swords' points, it will become easier for them to talk war if their issues be compli-

cated by controversies existing, for example, between Greece and Turkey. The League of Nations making an international controversy of general international concern will add immeasurably to the irritations already existing.

It is claimed that the League of Nations would extend rather than localize an international dispute. The present war was caused because of the failure to localize the dispute between Austria and Serbia, and that dispute became extended because of certain international agreements, and by that extension the war became world wide. The League of Nations proposes to extend all disputes at the outset and to reproduce the world situation fashioned by Germany. The failure to localize the dispute between Austria-Hungary and Serbia bathed the world in blood. The League of Nations as proposed makes it impossible to localize any dispute between nations.

It is claimed that the powers and duties granted under the terms of the Covenant are ambiguous, and for that reason provocative of disputes, and hence possibly of war. In article 4 it says, "the Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world." When we recall that this Council is made up of nine persons dominated by five, and that when we of the United States are parties to a dispute we shall not be represented upon that Council, it would seem that this language just quoted is either too narrow or too broad. If it means that the Council may simply talk about matters "affecting the peace of the world," it means nothing. If it means that they may take action which may be legislative, judicial, executive, any one, any two, or all three, and these against, let us say, the United States, then the provision is too broad. In any event the language is not precise and definitive. In another place of the same article it says "At meetings of the Council each Member of the League represented on the Council shall have one vote, and may not have more than one Representative." In article 15 it provides, "If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree," etc. These two statements are self-contradictory and mutually exclusive. At no place in the Covenant is there any provision for an international executive with power to execute decrees of the League, yet in article 16 it is provided that the Council shall in certain cases "recommend to the several Governments concerned what effective military or naval forces the Members of the League shall severally contribute to the armed forces to be used

to protect the covenants of the League." Then in the very next paragraph of article 16 it provides that "the members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article," etc. One naturally wonders why under such circumstances no provisions have been made for mutual military support as well as financial and economic. In any event the plan seems to contemplate the exercise by the League of military and naval powers. Yet it does not say so precisely. Neither does it provide for the method of such an alarming procedure.

We are told by the friends of the Covenant that there can be no international peace not based upon an agreement to control that peace by force of arms. And yet these proposers forget, or if they remember, they ignore the fact, that the League itself rests, as an international organ must rest, upon the good faith of the parties simply. It is as reasonable to expect that nations will abide by an agreement not to wage war against one another as it is to expect them to abide by an agreement to wage war, especially when we remember that that war may be waged against any one of them by a group of all the rest. There is no method of international co-ordinative effort except by agreement. The League itself is only an agreement. International relations, therefore, of any kind whatsoever must rest simply upon good faith and good faith only.

In the formation of this Covenant there has been little evidence of good faith. It was not good faith that Great Britain has opposed and successfully defeated Mr. Wilson's pleas for the freedom of the seas, reserving that the supremacy of her fleet shall under no circumstances be endangered. It was not good faith that Mr. Wilson should agree to the grab of Shantung in order to get the vote of Japan for his League of Nations. It is not good faith that the United States should be the only nation asked to make sacrifices, especially in light of the fact that all the other nations are getting their fill of the spoils of war. Not that the United States is backward in this regard, not that the United States should nab at the spoils; but when we are told that the United States must give up for the good of the whole, it is not good faith for the other nations to blind our eyes to the fact that none of them are giving up anything. It is not good faith to talk in the preamble of "open, just, and honorable relations between nations" and to scuttle vast stretches of empire as in Southwest Africa and South Pacific Islands, under the guise of "Mandatories" set up under the thin pretexts of "a sacred trust of civilization," mandatories which are already bid for, bargained for by the visionless diplomats

backed by the money changers. It requires little imagination to foresee that the inevitable end of the mandatory "tutelage" must be servitude. It is not good faith to continue traffic in arms and to deny both it and military training to the natives of Africa. It is not good faith for five nations to preach equality of states and to assume control of all the rest. It is not good faith, it may be repeated, to promise reduction of national armaments with no thought of reducing, say, the British Navy. It is not good faith to refuse to accept the promise of a nation to abstain from war and to accept that nation's promise to go to war. It is not good faith to lay foundations for a world order buttressed upon the theory that the way to overcome war is by war. It is not good faith, having obtained everything they desire, for the nations to ask the United States to keep up a great military machine for their protection around the globe. It is not good faith to give legislative, judicial, and executive authority to any one all-controlling body such as this League, granting to it the promise to "take any action that may be deemed wise and effectual to safeguard the peace of the nations." It is not good faith to set up such a League "to achieve international peace," founding it upon no international law and to fail to provide any means for its popular control or judicial check. It is not good faith to set up such a League, controlled by the mighty and organized for the perpetuation of the control of the physically weak by the physically strong. That the small states are willing to submit to such an arrangement writes one of the dark chapters in international sycophancy and cowardice.

Thus run the criticisms which the friends of the proposed League must meet and answer if they are to win the support necessary for its success.

PRACTICAL-MINDED FRANCE

As to the League of Nations, France is willing to be shown. This is characteristic of her people. The French worship intelligence and hate cant. They have a profound dislike of mere sentimentalism; they adore the syllogism. They have a keener sense of fact and reality than we. In private conversation they reveal their grave doubts of the practicability of the League of Nations. That doubt is now a matter of world knowledge. They are willing to try out anything, if only their common sense in the meantime be satisfied. They know that the League of Nations cannot operate, if it is to operate, for a long time, perhaps for years. In the meantime there is the menace from the east threatening France more than any

other nation. She has felt the need of a more immediate and tangible guarantee. She has given voice to this feeling, hence the agreement of Mr. Wilson and Great Britain to furnish that guarantee. The guarantee if ratified by our Senate will remain in force until such time as the League of Nations may itself be that guarantee. This is good business for France. Our personal opinion is that she is entitled to that support. The world is familiar with the price that France has paid for the victory. The United States Senate should ratify the proposed guarantee for a limited period.

LEST WE FORGET

As we think "On Fame's eternal camping ground," on the beautiful cemeteries in France—the one at Romagne ultimately to contain 30,000 American boys—as we think of the 285,000 of ours who have shed their blood over there, the 77,000 dead, and as we think of the glory of it, of those little corners of France that are forever America, the triumph and glory and pomp and pageantry of it all, we would note the words of Congressman Yates speaking at an Independence Day Celebration. In the course of his address he said:

"During 16 days I traveled 1,600 miles in a United States Army automobile, visiting parts of France, Belgium, Luxemburg, and Germany.

"I saw great seas and great cities and great scenes of sacrifice; saw where Americans looked into the jaws of death, into the mouth of hell, into the face of God.

"I talked with a man who had given a hand, to be cut off forever from his precious body, leaving a smooth round stump, forlorn and all but useless. I talked to many such men.

"I talked with a boy not old enough to vote who had given a leg, to be cut off forever from his precious body, leaving a smooth, round stump, almost useless. You, perhaps have talked with such a boy. I talked with many.

"I talked with a boy who survived five bullets in one leg and another in his left thigh. He will not walk through life hereafter; his walk will only be a contorted shuffle, an ugly hobble—the walk of this tall, bright, handsome boy.

"I talked with a boy whose eyes have been put out—a reading, thinking, enterprising, forward-looking, investigating lad—doomed to the appalling captivity of blindness. These hands and feet, these eyes and faces, annihilated, put out of existence. Will they ever come back? No; they will never, never come back. Ten years from now, 20 years from now, 40, 50, 60 years, this living daily sacrifice will go on."